



U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

#### **DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date



## ASSURANCES

The Applicant hereby assures and certifies compliance with all Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-87, A-110, A-122, A-133; E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements - 28 CFR, Part 66, Common rule, that govern the application, acceptance and use of Federal funds for this federally-assisted project. Also the Applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or I similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information may be required.
2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L.91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally -assisted programs.
3. It will comply with provisions of Federal law which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants. (5 USC 1501, et seq.)  
It will comply with the minimum wage and maximum hours provisions of
4. the Federal Fair Labor Standards Act if applicable.
5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.  
It will give the sponsoring agency or the Comptroller General, through
6. any authorized representative, access to the right to examine all records, books, papers, or documents related to the grant.  
It will comply with all requirements imposed by the Federal sponsoring
7. agency concerning special requirements of law, program requirements, and other 13 administrative requirements.
8. It will insure that the facilities under its ownership, lease or supervision  
which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.  
It will comply with the flood insurance purchase requirements of Section
9. 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, 14 approved December 31, 1976, Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "Federal financial assistance" 15 includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
10. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 USC 569 a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
11. It will comply, and assure the compliance of all its subgrantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M71 00.1; and all other applicable Federal laws, orders, circulars, or regulations.
12. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
13. It will comply, and all its contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title n of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.
14. In the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.
16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

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Signature

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Date

**PART IX. CERTIFIED ASSURANCES**  
***A copy of these assurances (Part IX. in its entirety) with original***  
***signatures must accompany the grant Application***

Should this Application be approved, the applicant and the lead governmental unit hereby agree to the following Certified Assurances governing the awarding of funds made available under the Anti-Drug Abuse Act of 1988.

1. That: (A) funds granted as a result of this request are to be expended for the purposes set forth in this Application and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the U.S. Department of Justice; (B) no expenditures will be eligible for inclusion if occurring prior to the effective date of the grant; (C) funds awarded by the Office of Criminal Justice Assistance (OCJA) may be terminated at any time for violations of any terms and requirements of this agreement.
2. That the applicant certifies that on acceptance of federal funding under the Anti-Drug Abuse Act of 1988, through the OCJA, they will submit "Financial Report Forms" for reimbursement on a monthly basis, and written "Progress Reports" on a quarterly basis to the Office of Criminal Justice Assistance. Reports are due within thirty (30) days after the end of the reporting period. **Funds may be withheld or terminated and future grant funding may be denied if the subgrantee has not complied in a timely manner with the terms and conditions of the grant award, including filing of all required reports.**

Final Progress Reports are due forty-five (45) days after the closing date of the grant and must be filed before the final Financial Report can be reimbursed. The final Financial Report is due ninety (90) days after the closing date of the grant. **BOTH REPORTS MUST BE FILED. Failure to submit these required reports within specified time limitations will result in non-payment of final claim. Funds not expended will be forfeited.**

3. That federal formula grant funds made available under the Anti-Drug Abuse Act of 1988 will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for criminal justice activities.
4. That the applicant will comply, and all its contracts will comply, with the applicable provisions of the Anti-Drug Abuse Act of 1988 and provisions of the Office of Justice Programs "Financial and Administrative Guide for Grants," and all other applicable federal and state laws, orders, circulars, or regulations.
5. The applicant certifies that the program contained in its Application meets all the applicable requirements, that all the information is correct, and that the applicant will comply with all OCJA policies and procedures contained in the "Project Director's and Financial Manager's General Administrative Guidelines" provided to each program.
6. That all fund accounting, auditing, monitoring, and such program monitoring and evaluation procedures as may be necessary to keep such records as the OCJA shall prescribe will be provided to ensure fiscal control, proper management, and efficient distribution of funds received under the Anti-Drug Abuse Act of 1988.
7. That applicant assures that the fiscal accountability of the Anti-Drug Abuse funds (all sources, including federal, state and local match portions) will be managed and accounted for by the Lead Agency's Chief Comptroller and that internal control and authority to ensure compliance with OCJA's documentation, record keeping, accounting and reporting guidelines will reside with that individual.
8. That the applicant and its contractors will comply with the nondiscrimination requirements of the Anti-Drug Abuse Act of 1988; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Sub-parts C, D, E, and G; and the American Disabilities Act of 1992.

9. That in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, age, religion, national origin, or sex against a recipient of funds, the applicant will forward a copy of the finding to the Office of Civil Rights Compliance (OCRC), Office of Justice Programs.
10. That applicant will abide by audit requirements as specified in OMB Circular A-133, Audits of State and Local Governments as revised August 29, 1997.
11. Any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the Subgrantee describing programs funded in whole or in part with federal funds, shall contain the following statement:
- "This program was supported by Grant #\_\_\_\_\_, awarded by the Nevada Office of Criminal Justice Assistance, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The Bureau of Justice Assistance is a component of the Office of Justice Programs which also includes the Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."
12. That applicant fully understands OCJA's right to suspend or terminate grant funds to any sub-grantee that fails to conform to the requirements (Special/General Conditions and General Operating Policies) or to any sub-grantee that fails to comply with the terms and conditions of its grant award.
13. Project related income, (i.e., forfeitures, registration fees, royalties, sales of real and personal property) must be used for the purpose of furthering the goals and objectives of the project or program from which the income was generated.

**SIGNATURES REQUIRED**  
**SUBMIT PART IX WITH APPLICATION**

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**GOVERNMENTAL UNIT** (i.e., Mayor, County Commissioner, City Supervisor etc.)

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

GOVERNMENTAL UNIT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**APPLICANT AGENCY** (i.e., Police Chief, Sheriff, District Attorney, State Agency Director)

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

AGENCY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



KENNY C. GUINN  
Governor

## INS REQUIREMENT

Nevada's Revised Statute 176.156 paragraph 2 states:

*If the Immigration and Naturalization Service of the United States Department of Justice requests the disclosure of a report of a presentence investigation, the court shall disclose the factual content of the report to the Immigration and Naturalization Service for the limited purpose of performing its duties, including, but not limited to, conducting hearings that are public in nature for the deportation of aliens.*

The State of Nevada has established a plan under which the state provides, without fees to the Immigration and Naturalization Service (INS), notice of conviction of aliens who have been convicted of violating the criminal laws of the state, within 30 days of the date of a request by the INS of such records.

Specifically the plan is implemented as follows:

The Division of Parole and Probation (P&P) will receive a request from the courts to write a "Presentence Investigation Report" (PSI). If the offender is determined NOT to be a citizen of the United States, the P&P officer will notify INS either by telephone or fax. U. S. Immigration will inform the P&P officer if the offender **is** or **is not** an alien. If the offender is an alien, the Immigration officer will advise the P&P officer if the offender is illegal, what type of visa the alien should have, the alien's registration number and the alien's true country of citizenship.

When the alien is given a sentencing date, by law, the P&P office will send the U. S. Immigration office a copy of the completed PSI and advise them of the alien's sentencing date. If the U. S. Immigration office wishes to deport the alien, they will appear on the court sentencing date and take the alien into custody.

If an alien is admitted to the Nevada Department of Prisons, an INS officer will periodically conduct physical interviews with the alien offender. A hearing is scheduled to determine status and condition at the time of release.

The prison system has access from both the North and South facilities to the INS through computer terminals.

A Phase II Plan is in process:

Resulting from a baseline audit and needs assessment of Nevada's Criminal History Records Repository conducted by the Executive Consulting Group in 1993 through 1994, a comprehensive effort was made to redesign and revitalize the Nevada Criminal Justice Information System. As a result of the redesign and following development of the new system, data will be provided to USINS consistent with Nevada's approved plan by BJA.

## REPORTING ALIEN CONVICTIONS

### IMMIGRATION AND NATURALIZATION SERVICE (INS)

This is to certify that I have read, understand, and agree to abide by Nevada's guidelines for reporting alien arrests/convictions to Immigration and Naturalization Service (INS). Specifically, I ensure that criminal justice agencies in the city/county will perform the following functions:

- T      notify INS at the time of booking when a suspected alien is arrested, and/or
- T      notify INS within 30 days of a felony or deportable misdemeanor conviction of an alien.

A noncompliance with the above mandate may result in the following:

- T      temporary withholding of cash payments to the project pending corrections or more severe enforcement action by the Office of Criminal Justice Assistance,
- T      disallowance of use of funds for all or part of the cost of the project,
- T      suspension or termination of the current award for the grantee's program,
- T      withholding further awards or other legal remedies.

Project Director \_\_\_\_\_ Date \_\_\_\_\_



## WHAT IS AN EEOP?

The purpose of an Equal Employment Opportunity Plan (EEOP) is to ensure full and equal participation of men and women regardless of race or national origin in the workforce of the recipient agency. A recipient agency is defined as any state or local unit of government or agency thereof, and any private entity, institution, or organization, to which Office of Justice Programs (OJP) financial assistance is extended directly or through such government or private entity. Recipient agencies that meet all of the following criteria are required to maintain an EEOP on file for review by OJP, if requested (see 28 CFR §42.301 et seq.):

- i. Have 50 or more employees; and
- ii. Received a total of \$25,000 or more in grants or subgrants; and
- iii. Have 3 percent or more minorities in service population (however, if less than 3 percent minorities in service population, an EEOP must still be prepared, but must focus on employment practices affecting women only).

Grantees that meet criteria (i) and (iii), and who receive over \$500,000 (or \$1 million during an 18-month period) are required to submit an EEOP with their Application to the Office for Civil Rights, Office of Justice Programs for review.

An EEOP is a comprehensive document that analyzes the agency's workforce in comparison to its relevant labor market data and all agency employment practices to determine their impact on the basis of race, sex, or national origin. The EEOP includes a written analysis that:

- provides a statistical profile of the internal workforce by race, sex and national origin
- identifies problems in employment practices and procedures.
- specifies corrective action
- forms the basis of ongoing evaluation.

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See chart on following pages, "Civil Rights Requirements of Recipients" for types of entities that are exempt from these requirements and for a description of factors affecting requirements to either maintain an EEOP on file or submit an EEOP to OCR.

## CERTIFICATION

*Grant Title:* \_\_\_\_\_

*Grantee Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Contact Person:* \_\_\_\_\_ *Tel #:* \_\_\_\_\_

*Grant Number:* \_\_\_\_\_ *Award Amount:* \_\_\_\_\_

*Date and effective duration of EEOP:* \_\_\_\_\_

*Policy Statement:* \_\_\_\_\_

## CERTIFICATION (EEOP ON FILE)

Certification Statement:

I, \_\_\_\_\_ [agency executive officer], certify that the \_\_\_\_\_

[agency] has formulated an Equal Employment Opportunity Plan in accordance with 28 CFR 42.391m et seq. subpart E, that it has been signed into effect by the proper agency authority and disseminated to all employees, and that it is on file in the Office of \_\_\_\_\_ [name], \_\_\_\_\_

[address],

\_\_\_\_\_ [title], for review or audit by officials of the cognizant State planning agency or the Office for Civil Rights, Office of Justice Programs as required by relevant laws and regulations.

Signature

Title

Date

## CERTIFICATION (NO EEOP REQUIRED)

I HEREBY CERTIFY THAT THE FUNDED AGENCY HAS LESS THAN 50 EMPLOYEES AND, THEREFORE, IS NOT REQUIRED TO MAINTAIN AN EEOP, PURSUANT TO 28 CFR 42.301, ET SEQ.

Signature

Title

Date

## CIVIL RIGHTS REQUIREMENTS OF RECIPIENTS

*Important:* All recipients, regardless of the type of entity or the amount awarded, are subject to the prohibitions against discrimination in any program or activity and may be required by OCR, through selected compliance reviews, to submit data to ensure their services are delivered in an equitable manner to all segments of the service population and their employment practices comply with equal employment opportunity requirements. 28 CFR 42.207 and 42.301 et seq.

Regulatory Definition: Recipient means any state or local unit of government or agency thereof, and any private entity, institution or organization to which federal financial assistance is extended directly or through such government or agency . . . 28 CFR 42.202(n).

### RECIPIENT MUST SUBMIT TO OCR

Type of Entity	Assurances	Court Findings of Discrimination	EEOP
I. Educational/Medical Nonprofit Institutions/Indian Tribes	Yes	Yes	No
II. All other recipients receiving more than \$25,000	Yes	Yes	No
III. State and Local Gov't recipients receiving \$500,000 or more*	Yes	Yes	Yes

Recipient Factors	EEOP Requirements
Less than 50 employees	Not required to maintain EEOP
Less than 3% minority population	Required to maintain EEOP as relates to women
Receives less than \$25,000	Not required to maintain EEOP
Receives more than \$25,000 (excluding Type I entity)	Must maintain an EEOP on file for possible OCR audits
Receives \$500,000 or more* (only type III entity)	Must submit EEOP to OCR for approval

\*or over \$1 million in an 18-month period